

Docket No.: 2360-0418PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Samuel SPRICH

Application No.: 10/505,437

Confirmation No.: 2311

Filed: September 24, 2004

Art Unit: 3721

For: DEVICE FOR POSITIONING SEVERAL
SHEETS IN A STAPLER

Examiner: N. C. Chukwurah

SECOND REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of 11/2006 for the above-identified

☒ application ☐ patent

☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request. Please also find enclosed copies of the original Request for Refund we submitted on December 3, 2007.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND <u>REQUESTED</u>
<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> search fee	_____
<input type="checkbox"/> examination fee	_____
<input type="checkbox"/> surcharge for filing the basic filing on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input type="checkbox"/> excess claims	_____
<input checked="" type="checkbox"/> issue fee (Specifically, Publication Fee)	<u>\$300.00</u>
<input type="checkbox"/> petition fee	_____

- ☐ patent maintenance fee _____
- ☐ first maintenance fee _____
- ☐ second maintenance fee _____
- ☐ third maintenance fee _____
- ☐ patent maintenance fee surcharge _____
- ☐ Other: _____
- _____
- _____

TOTAL REFUND REQUESTED \$300.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The above-identified application was originally allowed on August 14, 2006. Applicant's paid the Issue & Publication Fees on November 14, 2006 (Copies Attached Hereto). On December 7, 2006 the application was withdrawn from issue. On July 23, 2007 the application was allowed again. On October 23, 2007, Applicants failed to pay the Issue & Publication Fees due to the fact that the application was to go Abandoned.

The USPTO refunded the Issue Fee in December 2007. However, the Publication Fee of \$300.00 was not refunded at that time.

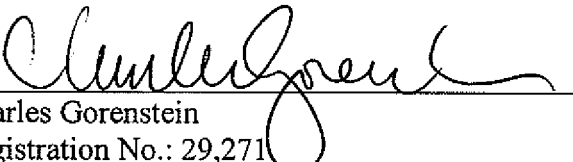
IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Dated: April 30, 2008

Respectfully submitted,

By 
Charles Gorenstein
Registration No.: 29,271
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment(s)

COPY

Deposit Account Statement

requested

Statement

Month: Nov-06

Deposit

Account

Number: 22448

Name: BIRCH
STEWART
KOLASCH &
BIRCH

Attention:

Street 6110
GATEHOUSE

Address 1: ROAD

Street SUITE 500

Address 2: EAST

FALLS

City: CHURCH

State: VA

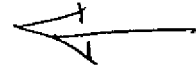
Zip: 22042

Country: UNITED
STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
			UZZ9-			
1-Nov	90	11523718	0943PUS1	8021	\$40.00	\$57,168.00
			4021-			
1-Nov	111	11505322	0153PUS2	8021	\$40.00	\$57,128.00
			3624-			
1-Nov	692	10854277	0171PUS1	1251	\$120.00	\$57,008.00
			3624-			
1-Nov	693	10854277	0171PUS1	1801	\$790.00	\$56,218.00
1-Nov	487	77033470	0146US1	7001	\$325.00	\$55,893.00
1-Nov	491	77033473	0105US1	7001	\$325.00	\$55,568.00
			1163-			
1-Nov	851	10492853	0505PUS1	1806	\$180.00	\$55,388.00
			2846-			
1-Nov	900	11554998	0445PUS1	1011	\$300.00	\$55,088.00
			2846-			
1-Nov	902	11554998	0445PUS1	1311	\$200.00	\$54,888.00
			2846-			
1-Nov	901	11554998	0445PUS1	1111	\$500.00	\$54,388.00
			4614-			
1-Nov	224	10574266	0194PUS1	8021	\$40.00	\$54,348.00
			2846-			
1-Nov	311	11554998	0445PUS1	8021	\$40.00	\$54,308.00
			4953-			
1-Nov	2	11493756	0114PUS1	1053	(\$130.00)	\$54,438.00
			4953-			
1-Nov	3	11493756	0114PUS1	1051	\$130.00	\$54,308.00
1-Nov	171	11589886		9204	(\$180.00)	\$54,488.00
			U/6U-			
1-Nov	3	10546286	0348PUS1	1617	\$130.00	\$54,358.00
			U/6U-			
1-Nov	4	10546286	0348PUS1	2614	\$300.00	\$54,058.00
			U/6U-			
1-Nov	5	10546286	0348PUS1	2616	\$180.00	\$53,878.00

COPY

15-Nov	296	77043684 1412US1 2010- 0342PUS1/G	7001	\$325.00	\$51,074.00
15-Nov	80	60742535 MM	8007	\$20.00	\$51,054.00
15-Nov	393	77043725 0282US1	7001	\$325.00	\$50,729.00
15-Nov	844	9748006 47679	1253	\$1,020.00	\$49,709.00
15-Nov	174	11513112 0071-0652P	8021	\$40.00	\$49,669.00
15-Nov	1062	10754895 2303-27-5	1814	\$130.00	\$49,539.00
15-Nov	1117	10505437 0418PUS1 2360-	2501	\$700.00	\$48,839.00
15-Nov	1118	10505437 0418PUS1	1504	\$300.00	\$48,539.00
15-Nov	9	10553358 1925-	9204	(\$300.00)	\$48,839.00
15-Nov	1206	60865754 0257PUS1	1005	\$200.00	\$48,639.00
15-Nov	11	10553358 0698-	9204	(\$360.00)	\$48,999.00
15-Nov	282	11515881 0258PUS1	8021	\$40.00	\$48,959.00
15-Nov	1891	10467485 0216-0492P 0941-	1814	\$130.00	\$48,829.00
15-Nov	136	10848075 0961PUS1 0020-	1801	\$790.00	\$48,039.00
15-Nov	132	60750041 MM 5451PUS1/G	8007	\$40.00	\$47,999.00
15-Nov	1322	78418343 2019US1 0630-	7004	\$150.00	\$47,849.00
15-Nov	1325	78618618 2307US1 0630-	7004	\$150.00	\$47,699.00
15-Nov	1326	78618621 2308US1 0941-	7004	\$150.00	\$47,549.00
15-Nov	82	11180701 1263PUS1 0941-	1251	\$120.00	\$47,429.00
15-Nov	83	11180701 1263PUS1 039/-	1806	\$180.00	\$47,249.00
15-Nov	2991	10808332 0477PUS1	1201	\$600.00	\$46,649.00
15-Nov	2079	77044466 0102US1	7001	\$325.00	\$46,324.00
15-Nov	2083	77044468 0658US1	7001	\$325.00	\$45,999.00
15-Nov	2091	77044471 0657US1 0315-	7001	\$325.00	\$45,674.00
16-Nov	18	10554198 0165PUS1 0505-	8021	\$40.00	\$45,634.00
16-Nov	38	11580835 1591PUS1 3900-	8021	\$40.00	\$45,594.00
16-Nov	156	78641379 0238US1 1602-	7004	\$150.00	\$45,444.00
16-Nov	823	11521446 0207PUS1 1602-	1051	\$130.00	\$45,314.00
16-Nov	145	11521446 0207PUS1	8021	\$40.00	\$45,274.00
16-Nov	874	9842769 1422-0472P	1806	\$180.00	\$45,094.00
16-Nov	490	77044787 0663US1	7001	\$325.00	\$44,769.00
16-Nov	537	78645840 0107US1 L6279-	7004	\$150.00	\$44,619.00
16-Nov	21	2426317 2203US1 2761-	7401	\$300.00	\$44,319.00
16-Nov	1069	60865985 0177PUS1 0649-	2005	\$100.00	\$44,219.00
16-Nov	1164	10947231 1011PUS1	1253	\$1,020.00	\$43,199.00
16-Nov	663	78538597 1110US1 0425-	7003	\$100.00	\$43,099.00
16-Nov	1268	11017742 1165PUS1 0425-	1252	\$330.00	\$42,769.00
16-Nov	1269	11017742 1165PUS1	1801	\$790.00	\$41,979.00
16-Nov	4	10572061	9204	(\$130.00)	\$42,109.00
16-Nov	6	10572061	9204	(\$350.00)	\$42,459.00



COPY

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In re Patent Application of:
Samuel SPRICH

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Art Unit: 3721

For: DEVICE FOR POSITIONING SEVERAL
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Examiner: N. C. Chukwurah

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MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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☒ application ☐ patent

☒ A copy of the relevant portions of the monthly statement in which the error referred to occurs, accompanies this request.

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	AMOUNT OF REFUND <u>REQUESTED</u>
<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> search fee	_____
<input type="checkbox"/> examination fee	_____
<input type="checkbox"/> surcharge for filing the basic filing on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e)),	_____
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input type="checkbox"/> excess claims	_____
<input checked="" type="checkbox"/> issue fee	<u>\$1,000.00</u>
<input type="checkbox"/> petition fee	_____

<input type="checkbox"/>	patent maintenance fee	_____
<input type="checkbox"/>	first maintenance fee	_____
<input type="checkbox"/>	second maintenance fee	_____
<input type="checkbox"/>	third maintenance fee	_____
<input type="checkbox"/>	patent maintenance fee surcharge	_____
<input type="checkbox"/>	Other:	_____

TOTAL REFUND REQUESTED \$1,000.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The above-identified application was originally allowed on August 14, 2006. Applicant's paid the Issue & Publication Fees on November 14, 2006 (Copies Attached Hereto). On December 7, 2006 the application was withdrawn from issue. On July 23, 2007 the application was allowed again. On October 23, 2007, Applicants failed to pay the Issue & Publication Fees due to the fact that the application was to go Abandoned.

Application No.: 10/505,437


IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Dated: **December 3, 2007**

Respectfully submitted,

By 
Charles Gorenstein
Registration No.: 29,271
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885

COPY

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

2292 7590 08/14/2006

BIRCH STEWART KOLASCH & BIRCH, LLP
 PO BOX 747
 FALLS CHURCH, VA 22040-0747

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/505,437

09/24/2004

Samuel Sprich

2360-0418PUS1

2311

TITLE OF INVENTION: DEVICE FOR POSITIONING SEVERAL SHEETS IN A STAPLER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional

YES

\$700

\$300

\$0

\$1000

11/14/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
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CHUKWURAH, NATHANIEL C

3721

227-156000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Birch, Stewart,
Kolasch & Birch, LLP
 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☒ Issue Fee

☒ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 02-2448 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Charles Gorenstein

Date November 14, 2006

Typed or printed name

Charles Gorenstein

Registration No. 29,271

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Electronic Acknowledgement Receipt

COPY

EFS ID:	1313165
Application Number:	10505437
International Application Number:	
Confirmation Number:	2311
Title of Invention:	DEVICE FOR POSITIONING SEVERAL SHEETS IN A STAPLER
First Named Inventor/Applicant Name:	Samuel Sprich
Customer Number:	2292
Filer:	Charles Gorenstein/Pamela Hughes
Filer Authorized By:	Charles Gorenstein
Attorney Docket Number:	2360-0418PUS1
Receipt Date:	14-NOV-2006
Filing Date:	24-SEP-2004
Time Stamp:	16:51:55
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$ 1000
RAM confirmation Number	503
Deposit Account	022448
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment Recorded	2006-11-14-IssueFeeTransmittal.pdf	181358	no	1

Warnings:

Information:

2	Fee Worksheet (PTO-875)	fee-info.pdf	8320	no	2
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Warnings:

Information:

Total Files Size (in bytes):			189678		
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

COPY